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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/512,838 02/25/2000 Connie Blackburn LUCENT-00301 7160

28960 7590 06/24/2003
HAVERSTOCK & OWENS LLP
162 NORTH WOLFE ROAD
SUNNYVALE, CA 94086

EXAMINER

TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 06/24/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/512,838

Applicant(s)

BLACKBURN ET AL.

Examiner

Quoc D Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 19, 20 & 21.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al (6,160,877) in view of Malik (6,324,269).

Consider claim 6, Tatchell et al teach a method for initiates a call from a user location to a destination through a service, comprising the following steps conveying data from the service to a control point, wherein the data indicates the predetermined telephone line, and the called party, and the calling party; temporarily routing the call to a switch associated the predetermined telephone line (col. 8 lines 6-48); and forming a new call originating from the calling party and terminating at the called party (col. 7 lines 33-50).

Tatchell et al suggested that these services are provided on a monthly or per-call basis and passwords are required for calls that required toll charge (col. 1 lines 19-22, col. 20 lines 25-34). Tatchell et al did not clearly suggest storing billing information related to the new call on the switch associated with the predetermined telephone line in response to a signal initiated by the service and automatically billing the new call to a predetermined telephone line using the stored billing information. However, Malik teaches a method and system for billing for calls made via a

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service node to complete the call and billed the call to subscriber predetermined number wherein triggering event is activated in processing of data and calls (col. 2 lines 1-14; col. 5 line 30 – col. 6 line 34; col. 10 lines 52-65).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Malik into view of Tatchell in order to generate billing record for calls made through the service node.

Consider claim 7, Malik teaches the method further comprising activating a terminating attempt trigger in the switch associated with the predetermined telephone line (col. 2 lines 1-14; col. 5 line 30 – col. 6 line 34; col. 10 lines 52-65).

Consider claims 8-9, as discussed above, Malik suggested the method further comprising initializing the predetermined telephone line and storing billing information on the switch includes a call duration of the new call and a particular feature utilized during the new call in response to activating the terminating attempt trigger (TAT) (col. 2 lines 1-14; col. 5 line 30 – col. 6 line 34; col. 10 lines 52-65).

Consider claim 10, Tatchell et al teach the method further comprising setting a telephone line as the predetermined telephone line (col. 7 lines 3-6, col. 8 lines 19-22).

Consider claim 11, Tatchell et al teach the method wherein the calling party is not at the predetermined telephone line (col. 7 lines 5-6).

Consider claim 12, Tatchell et al teach the method wherein the calling party is the predetermined telephone line (col. 7 lines 3-4).

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3. Claims 1-4 and 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al (6,160,877) in view of Armstrong et al (5,339,352) and further in view of Malik (6,324,269).

Consider claim 1, Tatchell et al teach a system comprising a service configured to received an incoming call from a calling party and to initiate an outgoing call to a called party (col. 3 lines 30-31, col. 6 line 61 - col. 7 line 32); and a control point coupled to the service, the calling party, and a switch wherein the control point is configured to activate the triggering event and to transfer the incoming call from the service to the called party such that the calling party and the called party are connected (col. 6 lines 20-68, col. 8 lines 24-41). It should be noted that triggering an event in an AIN is notoriously well known to one skill in the art. Therefore, it is obvious to one skill in the art to recognize that such step is necessary in setting service call in an Intelligent Network.

Tatchell et al suggested that these services are provided on a monthly or per-call basis and passwords are required for calls that required toll charge (col. 1 lines 19-22, col. 20 lines 25-34). Tatchell et al did not clearly suggest a switch coupled to a predetermined telephone line configured to store information in response to triggering event, wherein the billing information corresponding to the incoming call is stored in the switch and the stored billing information is used to charge the predetermined telephone line. However, Armstrong et al teach a directory assistance call completion platform (OSS switch) for connect the call to the called party (destination) and to generate and store billing information corresponding to the incoming call (col. 2 line 65 - col. 3 line 11).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Armstrong et al into view of Tatchell et al in order to provide appropriate billing of the call.

Furthermore, Tatchell did not clearly suggest wherein the control point is configured to activate the triggering event in response to receiving an appropriate signal from the service. However, Malik teaches a method and system for billing for calls made via a service node to complete the call and billed the call to subscriber predetermined number wherein triggering event is activated in processing of data and calls (col. 2 lines 1-14; col. 5 line 30 – col. 6 line 34; col. 10 lines 52-65).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Malik into view of Tatchell and Armstrong et al in order to generate billing record for calls made through the service node.

Consider claim 2, Tatchell et al teach the system wherein the service is a voice messaging system (col. 4 lines 52-55).

Consider claim 3, Tatchell et al teach the system further comprising an additional switch coupled to the control point configured to transfer the call from the service to the called, party wherein the calling party and the called party are connected and the service is disconnected (col. 7 lines 15-20, lines 43-50, Fig. 2b).

Consider claim 4, Tatchell et al teach the system wherein the predetermined telephone line is set as a specific telephone line by the calling party (col. 7 lines 3-6, col. 8 lines 19-22).

Consider claim 21, Tatchell et al teach the system wherein the calling party is not at the predetermined telephone line (col. 7 lines 5-6).

Consider claim 22, Tatchell et al teach the system wherein the calling party is the predetermined telephone line (col. 7 lines 3-4).

Consider claim 13, Tatchell et al a method for initiates a call through a service from a calling party to a called party, comprising the following steps conveying call data from the service to a control point wherein the control point is coupled to the calling party, the predetermined telephone line, and the called party; terminating the call to the service (col. 8 lines 6-48); and forming a new call to link the calling party to the called party (col. 7 lines 33-50).

Tatchell et al suggested that these services are provided on a monthly or per-call basis and passwords are required for calls that required toll charge (col. 1 lines 19-22, col. 20 lines 25-34). Tatchell et al did not clearly suggest storing billing information related to the new call on the switch associated with the predetermined telephone line and automatically billing the new call to a predetermined telephone line using the stored billing information. However, Armstrong et al teach a directory assistance call completion platform (OSS switch) for connect the call to the called party (destination) and to generate and store billing information corresponding to the incoming call (col. 2 line 65 - col. 3 line 11).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Armstrong et al into view of Tatchell et al in order to provide appropriate billing of the call.

Furthermore, Tatchell did not clearly suggest storing billing information related to the new call in response to a signal initiated by the service. However, Malik teaches a method and system for billing for calls made via a service node to complete the call and billed the call to

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subscriber predetermined number wherein triggering event is activated in processing of data and calls (col. 2 lines 1-14; col. 5 line 30 – col. 6 line 34; col. 10 lines 52-65).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Malik into view of Tatchell and Armstrong et al in order to generate billing record for calls made through the service node.

Consider claim 14, Tatchell et al teach the method further comprising temporarily connecting the call to the predetermined telephone (col. 8 lines 34-48).

Consider claim 15, Tatchell et al teach the method further comprising the following steps terminating the call to the predetermined telephone line; and automatically querying the service control point via a terminating attempt trigger located within the switch associated with the predetermined telephone line in response to terminating the call to the predetermined telephone line (col. 9 lines 11-20).

Consider claim 16, as discussed above, Armstrong et al teach the method wherein storing the billing information related to the new call on the switch is in response to querying the service control point (col. 11 lines 18-30).

Consider claim 17, Armstrong et al teach the method wherein the stored billing information includes a call duration of the new call and a particular feature utilized during the new call (col. 11 lines 18-30).

Consider claim 18, Armstrong et al teach system wherein the control point activates the triggering event in response to the service initiating the outgoing call to the called party (col. 11 lines 13-24).

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Consider claim 19, Tatchell et al teach the system wherein the switch is configured to transfer the call from the service to the called party wherein the calling party and the called party are connected and the service is disconnected (col. 7 lines 15-20, lines 43-50, Fig. 2b).

Consider claim 20, Armstrong et al teach the system wherein the stored billing information includes a call duration of the new call and a particular feature utilized during the new call (col. 11 lines 18-30).

Consider claim 23, Tatchell et al teach the method wherein the calling party is not at the predetermined telephone line (col. 7 lines 5-6).

Consider claim 24, Tatchell et al teach the method wherein the calling party is the predetermined telephone line (col. 7 lines 3-4).

Response to Arguments

4. Applicant's arguments with respect to claims 1-4 and 6-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Facsimile responses should be faxed to:

(703) 872-9314

Hand-delivered responses should be brought to:

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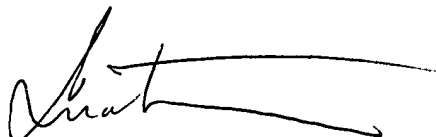
Crystal Park II, 2121 Crystal Drive

Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.

A handwritten signature in black ink, appearing to read 'Quoc D. Tran', with a long horizontal flourish extending to the right.

Quoc D. Tran
Patent Examiner AU 2643
June 17, 2003